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**MAY 10 2006**

**OFFICE OF PETITIONS**

Applicant: Pratt  
Appl. No.: 10/623,577  
Filing Date: July 22, 2004  
Title: LIQUID DOSAGE FORMULATIONS OF DONEPEZIL  
Attorney Docket No.: 61368-223339  
Pub. No.: US 2004/0214863 A1  
Pub. Date: October 28, 2004

This is a decision on the request for a corrected patent application publication under 37 CFR 1.221, filed on March 24, 2006, for the above-identified application.

The request is DISMISSED.

The instant request is that the application be republished because the patent application publication contains the contents of another application.

37 CFR 1.221 (b) is applicable "only when the Office makes a material mistake which is apparent from Office records.... Any request for a corrected publication or revised patent application publication other than provided as provided in paragraph (a) of this section must be filed within two months from the date of the patent application publication. This period is not extendable." A material mistake must affect the public's ability to appreciate the technical disclosure of the patent application publication, to determine the scope of the patent application publication, or to determine the scope of the provisional rights that an applicant may seek to enforce upon issuance of a patent.<sup>1</sup>

The request for corrected publication received on March 24, 2006, was not timely filed under 37 CFR 1.221(b).

Due to the nature of the errors in this publication, the office will *sua sponte* publish a corrected patent application publication. The corrected patent application publication will be published in due course, unless the application is allowed and the patent issues before the application is republished.

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<sup>1</sup>Changes to Implement Eighteen-Month Publication of Patent Applications, 65 FR 57023, 57038 (Sept. 20, 2000), 1239, Off. Gaz. Pat. Office Notices 63, 75 (Oct. 10, 2000) (final rule).

The documents scanned on September 4, 2003, which were improperly indexed as specification, claims and drawings and published have been relabeled as a foreign reference.

Inquiries relating to this matter may be directed to Mark Polutta at (571) 272-7709 (voice).

A handwritten signature in black ink, appearing to read "Mark O. Polutta", with a stylized flourish at the end.

Mark O. Polutta  
Office of Patent Legal Administration  
Office of the Deputy Commissioner  
for Patent Examination Policy

Enclosure: Corrected Filing Receipt